

SB3109



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3109

Introduced 2/7/2014, by Sen. Pat McGuire

SYNOPSIS AS INTRODUCED:

225 ILCS 80/15.1

Amends the Illinois Optometric Practice Act of 1987. Permits a licensed optometrist to prescribe Dihydrocodeinone (Hydrocodone) with one or more active, non-narcotic ingredients only in a quantity sufficient to provide treatment for up to 72 hours, and only if such formulations are reclassified as Schedule II by the U.S. Food and Drug Administration.

LRB098 18318 ZMM 53453 b

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 2. The Illinois Optometric Practice Act of 1987 is
5 amended by changing Section 15.1 as follows:

6 (225 ILCS 80/15.1)

7 (Section scheduled to be repealed on January 1, 2017)

8 Sec. 15.1. Diagnostic and therapeutic authority.

9 (a) For purposes of the Act, "ocular pharmaceutical agents"
10 means topical anesthetics, topical mydriatics, topical
11 cycloplegics, topical miotics and mydriatic reversing agents,
12 anti-infective agents, anti-allergy agents, anti-glaucoma
13 agents (except oral carbonic anhydrase inhibitors, which may be
14 prescribed only in a quantity sufficient to provide treatment
15 for up to 72 hours), anti-inflammatory agents (except oral
16 steroids), over-the-counter agents, analgesic agents, anti-dry
17 eye agents, and agents for the treatment of hypotrichosis.

18 (a-3) In addition to ocular pharmaceutical agents that fall
19 within the categories set forth in subsection (a) of this
20 Section, the Board may add a pharmaceutical agent approved by
21 the FDA or class of agents for the purpose of the diagnosis or
22 treatment of conditions of the eye and adnexa after
23 consideration of the agent's systemic effects, side effects,

1 and the use of the agent within the practice of optometry. The
2 Board shall consider requests for additional agents and make
3 recommendations within 90 days after the receipt of the
4 request.

5 Within 45 days after the Board's recommendation to the
6 Department of a pharmaceutical agent or class of agents, the
7 Department shall promulgate rules necessary to allow for the
8 prescribing or administering of the pharmaceutical agent or
9 class of agents under this Act.

10 (a-5) Ocular pharmaceutical agents administered by
11 injection may be used only for the treatment of anaphylaxis.

12 (a-10) Oral pharmaceutical agents may be prescribed for a
13 child under 5 years of age only in consultation with a
14 physician licensed to practice medicine in all its branches.

15 (a-15) The authority to prescribe a Schedule III, IV, or V
16 controlled substance shall include ~~only~~ analgesic agents only
17 in a quantity sufficient to provide treatment for up to 72
18 hours. The prescription of a Schedule II controlled substance
19 is prohibited, except for Dihydrocodeinone (Hydrocodone) with
20 one or more active, non-narcotic ingredients only in a quantity
21 sufficient to provide treatment for up to 72 hours, and only if
22 such formulations of Dihydrocodeinone are reclassified as
23 Schedule II by the U.S. Food and Drug Administration.

24 (b) A licensed optometrist may remove superficial foreign
25 bodies from the human eye and adnexa and may give orders for
26 patient care to a nurse licensed to practice under Illinois

1 law.

2 (c) An optometrist's license shall be revoked or suspended
3 by the Department upon recommendation of the Board based upon
4 either of the following causes:

5 (1) grave or repeated misuse of any ocular
6 pharmaceutical agent; and

7 (2) the use of any agent or procedure in the course of
8 optometric practice by an optometrist not properly
9 authorized under this Act.

10 (d) The Secretary of Financial and Professional Regulation
11 shall notify the Director of Public Health as to the categories
12 of ocular pharmaceutical agents permitted for use by an
13 optometrist. The Director of Public Health shall in turn notify
14 every licensed pharmacist in the State of the categories of
15 ocular pharmaceutical agents that can be utilized and
16 prescribed by an optometrist.

17 (Source: P.A. 97-170, eff. 7-22-11.)